

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No.10/666,430
Filing Date Sep 13, 2003
Inventor..... Wang
Assignee..... Battelle Memorial Institute
Group Art Unit.....1754
Examiner Cam Nguyen
Attorney's Docket No. B-1484-DIV2
Title: Catalyst Structure And Method Of Fischer-Tropsch Synthesis

**PETITION FOR WITHDRAWAL FROM ISSUE UNDER 37 C.F.R. § 1.313(c)(2) FOR
CONSIDERATION OF A REQUEST FOR CONTINUED EXAMINATION IN
COMPLIANCE WITH 37 C.F.R. § 1.114**

To: Mail Stop 313(c)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FAX RECEIVED

AUG 23 2005

OFFICE OF PETITIONS

PETITION

Applicant hereby petitions for withdrawal of this application from issue pursuant to 37 C.F.R. § 1.313(c)(2).

PATENT ISSUE FEE

The issue fee for this case was paid on April 14, 2005. The date the patent is scheduled to issue is unknown. The amount paid for toward the issue fee may be applied to a future issuance of an application that may issue from the RCE.

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REASON FOR WITHDRAWAL REQUEST

Applicant hereby petitions the Commissioner to withdraw this case from issue for consideration of a request of continued examination in compliance with 37 C.F.R. § 1.114.

The request for continued examination (RCE) and accompanying fee is submitted herewith. On January 21, 2005, Applicants mailed an Information Disclosure Statement (IDS). The IDS crossed in the mail with a Notice of Allowance that was mailed on January 18, 2005. Applicants have not received any indication that the IDS has been considered or acknowledged by the Examiner. In order to have the IDS considered, Applicants are requesting withdrawal of issuance in favor of an RCE

PETITION FEES

A petition fee of \$130.00, as required under 37 C.F.R. § 1.17(h), is submitted herewith.

Respectfully submitted,

Dated: May 27, 2005

By: Frank Rosenberg

Frank Rosenberg

Reg. No. 37,068

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PETITION FEE **Under 37 CFR 1.17(f), (g) & (h)** **TRANSMITTAL**

(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	10/666,430
Filing Date	Sep 19, 2003
First Named Inventor	Wang
Art Unit	1754
Examiner Name	Cam Nguyen
Attorney Docket Number	B-1484-DIV2

Enclosed is a petition filed under 37 CFR 1.313(d)(2) that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 130 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees)☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 50-1749 :☐ petition fee under 37 CFR 1.17(f), (g) or (h) ☒ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ _____ is enclosed.☒ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.**Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462**

For petitions filed under:

§ 1.53(e) - to accord a filing date.

§ 1.57(a) - to accord a filing date.

§ 1.182 - for decision on a question not specifically provided for.

§ 1.183 - to suspend the rules.

§ 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.

§ 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

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For petitions filed under:

§ 1.12 - for access to an assignment record.

§ 1.14 - for access to an application.

§ 1.47 - for filing by other than all the inventors or a person not the inventor.

§ 1.59 - for expungement of information.

§ 1.103(a) - to suspend action in an application.

§ 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.

§ 1.295 - for review of refusal to publish a statutory invention registration.

§ 1.298 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.

§ 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.

§ 1.550(c) - for patent owner requests for extension of time in *ex parte* reexamination proceedings.§ 1.956 - for patent owner requests for extension of time in *inter partes* reexamination proceedings.

§ 5.12 - for expedited handling of a foreign filing license.

§ 5.15 - for changing the scope of a license.

§ 5.25 - for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

§ 1.19(g) - to request documents in a form other than that provided in this part.

§ 1.84 - for accepting color drawings or photographs.

§ 1.91 - for entry of a model or exhibit.

§ 1.102(d) - to make an application special.

§ 1.138(c) - to expressly abandon an application to avoid publication.

§ 1.313 - to withdraw an application from issue.

§ 1.314 - to defer issuance of a patent.

Frank Rosenberg
Signature

Frank Rosenberg
Typed or printed name

27 May 2005
Date

37,068
Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, *Office of Petitions*

on 27 May 2005
Date

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Frank Rosenberg

Signature

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Frank Rosenberg

Typed or printed name of person signing Certificate

OFFICE OF PETITIONS

37,068

Registration Number, if applicable

925-376-8416

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

- 1) *Petition For Withdrawal From Issue Under 37 C.F.R. § 1.313(c)(2)*
- 2) *Request for Continued Examination*
- 3) *Payment by credit card (Form PTO-2038)*
- 4) *Petition Fee Transmittal*

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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